

Message Text

UNCLASSIFIED

PAGE 01 TOKYO 04349 170824Z
ACTION OES-07

INFO OCT-01 EA-12 ISO-00 CIAE-00 INR-10 NSAE-00 COME-00
EB-08 PA-02 USIA-15 L-03 SP-02 /060 W
-----021671 172035Z /45
R 170817Z MAR 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 6244

UNCLAS TOKYO 04349

FOR OES/APT/SA; INR/OIL

DEPT. PASS TO DEPT. OF COMMERCE

E.O. 11652: N/A
TAGS: TECH, EQUIP, JA
SUBJECT: PATENTS ON VLSI TECHNOLOGY

1. EMBASSY HAS CONFIRMED RECENT MITI DECISION TO MAKE
VLSI TECHNOLOGY AVAILABLE TO FOREIGN MANUFACTURERS IN
PRINCIPLE AS REPORTED BY VERNACULAR PRESS. DECISION
EXPECTED TO FACILITATE CURRENT NEGOTIATIONS ON TRANSFER
OF TECHNOLOGY BETWEEN JAPANESE COMPUTER MANUFACTURERS AND
THEIR FOREIGN COMPETITORS.

2. AT PRESENT, ALL PATENTS ON VLSI TECHNOLOGY BELONG TO
VLSI TECHNICAL RESEARCH ASSOCIATION COMPOSED OF FIVE
LEADING COMPUTER MANUFACTURERS, BLOCKING FOREIGN
MANUFACTURERS' ATTEMPTS TO CONCLUDE CROSS LICENSING
AGREEMENTS WITH THESE COMPANIES. NEW POLICY DECISION
WOULD GIVE THE FIVE FIRMS PATENT LICENSES GRATUITOUSLY,
THUS PROVIDING THEM BETTER BARGAINING POSITION IN
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 TOKYO 04349 170824Z

DEALING WITH FOREIGN MANUFACTURERS' APPLICATIONS
FOR TECHNOLOGY TRANSFER.

3. COMMENT: MATTER OF VLSI PATENT LICENSING OR LACK
THEREOF HAS BEEN OF MAJOR CONCERN DURING PAST YEAR TO USG
AGENCIES AND US ELECTRONICS INDUSTRY, SINCE IT APPEARED
THAT MITI WAS ATTEMPTING TO HAVE ITS CAKE AND EAT IT TOO

BY REQUIRING U.S. COMPANIES TO LICENSE NEW TECHNOLOGIES TO JAPANESE COUNTERPARTS UNDER JAPANESE PATENT, LICENSING, AND INTELLECTUAL PROPERTY LAWS, WHILE HOLDING BACK VLSI PATENTS FOR CROSS LICENSING ON GROUNDS THAT THEY BELONGED TO GOJ. WHAT WE THINK HAS HAPPENED IS THAT PRESSURES FROM US COMPANIES FINALLY REACHED POINT WHERE MITI COULD NO LONGER MAINTAIN ITS POSITION, SINCE SOONER OR LATER IT WOULD HAVE TO GRANT PATENT LICENSES TO THE INDUSTRIAL MEMBERS OF THE VLSI ASSOCIATION SO THAT THE PATENTS COULD BE WORKED. IN PAST WE HAVE QUERIED MITI SENIOR OFFICIAL WHO OVERSEES VLSI ASSOCIATION ON POLICY CONCERNING PATENTS AND HAVE BEEN GIVEN ANSWER THAT THERE WAS NO POLICY YET DEFINED BUT THAT IT WAS UNDER STUDY. WE SUGGEST THAT DOS AND DOC INSURE THAT U.S. ELECTRONICS AND COMPUTER MANUFACTURERS ARE AWARE OF MITI DECISION. THE "IN PRINCIPLE" PART OF MITI DECISION WILL REQUIRE TESTING.

4. PROF. HERMAN POLLACK, CONSULTANT TO OES, HAD BEEN ACTIVELY FOLLOWING THIS SUBJECT ABOUT A YEAR AGO. MANSFIELD

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, PATENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TOKYO04349
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780119-1040
Format: TEL
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780352/aaaabsdh.tel
Line Count: 82
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 54a87cc4-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3285098
Secure: OPEN
Status: NATIVE
Subject: PATENTS ON VLSI TECHNOLOGY
TAGS: TECH, EQUIP, JA
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/54a87cc4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014